

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(DOCKET NO. 14530)

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In re the Application of:

RICHARD K. WAMPLER

Serial No. 09/420,997

Filed: October 20, 1999

For: SEALLESS ROTARY BLOOD PUMP

Examiner A. Lam

Art Unit: 3762

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RESPONSE TO OFFICE ACTION

BOX NON-FEE AMENDMENT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

This is in response to the Office Action dated March 13, 2000.


REMARKS

On March 13, 2000, an Office Action was issued rejecting claim 1 under 35 U.S.C. § 101. On March 24, 2000, George H. Gerstman, attorney for Applicant, telephone Patent Examiner Ann Lam advising that on January 31, 2000, a Preliminary Amendment with an Information Disclosure Statement had been filed. In the Preliminary Amendment, claim 1 was canceled and new claims 40-71 were presented. Apparently through a Patent and Trademark Office error, the Preliminary Amendment

was not in the application file at the time that the application was examined by Examiner Lam.

Examination on the merits of claims 40-71 is respectfully requested.

Respectfully submitted,



George H. Gerstman
Registration No. 22,419
Attorney for Applicant

April 20, 2000

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Hon. Commissioner of Patents and Trademarks, Washington, D.C. 20231 on April 20, 2000.


Registered Attorney for Applicant
Date: April 20, 2000

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